

REMARKS

In the first paragraph of the outstanding Office Action, the Examiner states that Claims 11 and 12 have been withdrawn from consideration because the claimed subject matter of a stopper holding portion formed on the safety member for holding the rotation stopper at the open position is directed toward a non-elected species. Accordingly, reference to the safety member has been canceled from Claim 16 and placed in newly presented Claim 17. The stopper member "S" is shown in Figure 2 and clearly is part of the elected invention.

The drawings have been objected to under 37 CFR 1.83(a) for not showing the "cylindrically shaped safety member coaxial with the base portion and having a rotation stopper". The Examiner's attention is directed to Figures 8 and 9 where this feature is shown. Although Figures 1-4, which are directed to the elected invention, do not show this feature, Figures 8 and 9 are also part of the disclosure and, as such, the Examiner's objection to the drawings clearly is in error.

Claims 2, 4-9 and 13-16 have been rejected under 35 USC 103(a) as being unpatentable over Edman et al in view of Reed et al. Applicants respectfully traverse this ground of rejection and urge that the presently claimed invention clearly is patentably distinguishable over the prior art cited by the Examiner.

The presently claimed invention is directed to an auxiliary cover for a pump dispenser for discharging a liquid from a vessel by upward and downward motions of a nozzle head. The cover is attached to a cap provided on the pump dispenser and comprises a lever portion for pressing down the nozzle head, a hollow base portion attached to the cap and a rotation stopper which can be moved from a position of restraining the horizontal movement of the lever portion to an open position in which the horizontal movement of the lever portion is not restrained. The cover is attached to a cap provided on the pump dispenser and the lever portion is rotatably provided on

the base portion via a hinge portion. The nozzle portion is pressed in a downward direction by the rotation of the lever portion.

As described in the present specification, in prior art pump dispensers, in order to issue the liquid, an operation is required for grasping the pump dispenser with both hands and pressing the nozzle head from above in a downward direction by the use of fingers or the like. When the pump dispenser is used as a spray for residential use, the pressing operation is difficult depending on the location to be sprayed or the posture of spraying the liquid. Moreover, when the pump dispenser is used as a spray for cosmetics, the nozzle port tends to shift during the attempt of pressing down the nozzle head from above during the holding of the pump dispenser with a hand. Therefore, the operation thereof is difficult.

The present invention avoids the problems of the prior art by providing a pump dispenser having improved operability by directly attaching the auxiliary cover on a cap which is a part of the pump dispenser. The trigger for the pump dispenser moves horizontally and is provided below the pump dispenser spray nozzle to aid in operation of the dispenser. It is respectfully submitted that the prior art cited by the Examiner does not disclose the presently claimed invention.

The Edman et al reference discloses a spray pump actuating and bottle holding device having a valve actuating lever pivotally mounted to a handle-supporting bottle engaging member in which the pivot axis of the actuating lever is located above and in front of the outlet orifice of the pump valve. In this reference, the valve actuating lever 22 is pushed downward in order to make the spray issue from the spray nozzle.

In contrast to the disclosure of Edman et al, the presently claimed invention requires the presence of a rotation stopper which restrains the horizontal movement of the lever portion to an open position in which the horizontal movement of the lever portion is not restrained. This clearly

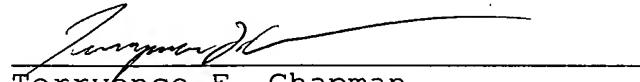
is not shown by Edman et al since the lever portion disclosed there operates by moving in a vertical fashion and no stop member is provided. Therefore, the secondary reference cited by the Examiner must provide the motivation to one of ordinary skill in the art to modify the primary Edman et al reference in a manner to yield the presently claimed invention. It is respectfully submitted that the secondary reference cited by the Examiner contains no such disclosure.

The Reed et al reference discloses a handle assembly for a pressurized dispensing container which consists of a handle 12 and a collar 11. The handle is provided with lugs 41 which engage with the collar. Hinged to the handle 12 above a boss 31 is a trigger 36 which is hinged for operation by the thumb of a user gripping the handle. To prevent accidental or premature depression of the trigger, a safety device in the form of a wedge 55 is provided between the trigger 36 and grip portion 32 of the handle.

Like the previously discussed reference, the trigger of the Reed et al device is operated by being depressed in a vertical manner and, as such, has a stop which prevents the vertical movement of the trigger. In contrast thereto, the lever of the present invention moves horizontally and the stop member is provided to prevent the horizontal movement of the lever. Therefore, Reed et al in combination with Edman et al does not disclose the presently claimed invention.

The Examiner is respectfully requested to reconsider the present application and to pass it to issue.

Respectfully submitted,



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